3 December 2007

Madame Mayor & Honorable City Council Members 735 Anacapa Street Santa Barbara, CA 93101

RE: Appeal of Planning Commission Approval for 3427 Sea Ledge Lane, MST2006-00092

Dear Madame Mayor & Honorable City Council Members:

On behalf of the subject property owners, Joyce and Leon Lunt, we hereby provide the following detailed response letter to the appeal letter filed by Ed Vernon dated September 11, 2007.

The project team has worked diligently with City staff and Planning Commission to produce a well-designed project that is compatible with the neighborhood. The project was reviewed twice by the Architectural Board of Review (ABR) and received positive comments relative to the architectural style, mass, bulk, and scale. The neighbors were made aware of the project early on in the development review process and several have gone on record stating strong support of the project. Ultimately, the project received approval by the Planning Commission for a Coastal Development Permit and a zoning modification to allow an existing deck to remain in place.

Presented below are the appellant's claims in italics followed by our response in the order in which they appear in the appellant's letter.

Appellant comment #1.

"The size of the house is incompatible with the newly adopted SFDG."

The presentation given at the Planning Commission hearing on September 6, 2007, demonstrated the project's compatibility with the newly adopted Single Family Design Guidelines (SFDG) providing the basis for subsequent approval by the Commission. House size, in terms of total proposed floor area, is not addressed in the SFDG. Compatibility is determined by applying 12 different compatibility guidelines including volume, massing, scale, architectural style, and building height to name a few. Further, while not a requirement for this site, Floor to Lot Area Ratio (FAR) of the residence is consistent with the SFDG suggested guideline. FAR limitations are required for properties that have a maximum lot area of 15,000 square feet; the lot area of 3427 Sea Ledge Lane is 32,189 square feet.

Santa Barbara City Council Appeal Response letter for 3427 Sea Ledge Lane 3 December 2007 Page 2

Appellant comment #2.

"The size of the proposed structure is inconsistent with the surrounding single story 3,000 square foot residences."

The neighborhood analysis prepared for the Planning Commission hearing (Attachments A & B – Bluff top Homes aerial graphic) clearly demonstrated that the proposed project is neither the largest, nor the only two-story home as compared to surrounding home sizes and configurations. Of the 20 closest homes along the bluff top, six homes are larger and fourteen (14) homes are smaller, fourteen (14) homes are two-story or have a second story element, and three of the eight homes on Sea Ledge Lane are two-story or have a second story element. The Planning Commission considered the proposed addition in context with the surrounding residences and approved the Coastal Development Permit making a finding of neighborhood compatibility.

Appellant comment #3.

"The project is twice the size of the surrounding homes (including the basement)."

This statement is not accurate. Our analysis of bluff top homes closest to the subject property presented to the Commission, shows that there are six homes larger than the subject property (see discussion above).

Appellant comment #4.

"The mass bulk and scale of a dominant two story structure in a predominately single story neighbor is overwhelming."

The SFDG and the City's Municipal Code do not define what constitutes predominate neighborhood type. However, the SFDG provides the tools in which to evaluate mass, bulk and scale. The Planning Commission's approval action included a finding of neighborhood compatibility indicating the mass, bulk, and scale to be appropriate consistent with the ABR's positive comments.

Appellant comment #5.

"The second story will be highly visible from the east/west beach perspective if the 25 foot tall vegetation is removed per plans or later at owner discretion."

The existing eight-foot high vegetation is proposed to be retained and serves to screen the residence from the neighbors to the immediate east and west. Changes in an approved landscape plan would require review and approval by the Single Family Design Board.

Regardless of vegetation, the second story will be barely visible from the east along the beach as demonstrated in a visual resources study submitted to, and accepted by staff, and the second story will not be seen at all from the west. Additionally, the Santa Barbara City Council Appeal Response letter for 3427 Sea Ledge Lane 3 December 2007 Page 3

story pole installation for the project observed by the Planning Commission (previous to the floor area reductions reflected on the project plan) from the beach east of the site illustrates that the second story would not be highly visible (please see Attachment C). From the beach west of the site, the second story will not be visible as it is setback from the first floor. Please see Attachment D of the existing residence from the west.

Appellant comment #6.

"The modifications requested are not necessary or appropriate for the construction."

The project was redesigned eliminating the modification requests involving the proposed construction. The only modification request approved by the Commission involves a portion of the existing deck that has been in its current configuration for 20 years.

Appellant comment #7.

"New Construction in the 75 year set back is inappropriate and inconsistent with Coastal Development Policy."

The only activity proposed in the 75-year geologic setback is the resurfacing of an existing deck – no new on-grade construction is proposed seaward of the setback. The deck will not be expanded and no disturbance to the ground will occur. Building code requires installation of a code compliant safety railing. The Planning Commission disagreed with staff's recommendation to relocate the existing deck interior to the 75-year setback which would have resulted in bluff exposure and potential detriment to the slope.

Appellant comment #8.

"The project satisfies the open yard requirement by depicting open space in the actual beach sand ocean side of the rock revetment which is underwater at high tide."

The property extends down the bluff face to the mean high tide water line. Consistent with the Zoning Ordinance, the open yard requirement is met on the portion of the property between the revetment and the mean high tide water line; therefore the open yard would not be underwater at high tide. However, the property also contains open yard area adjacent to the residence. In addition to the required open yard depicted on the beach, the project would result in 3,750 square feet of useable open area, an increase of 400 square feet over the existing condition and far exceeds the City's minimum area requirement of 1,250 square feet (Attachments E & F – Open Yard, existing and proposed configuration).

Appellant comment #9.

"The landscape and parking plan encroaches at points 10 feet in to the 25 foot sea ledge lane easement (sic)."

Santa Barbara City Council Appeal Response letter for 3427 Sea Ledge Lane 3 December 2007 Page 4

This statement is inaccurate. The project respects the 25 foot road easement with no encroachments proposed.

Appellant comment #10.

"No conditions are directed at the request for expanded septic systems required to accommodate the increase in facility burden."

The new drywell will replace the existing system; it has been dug and tested, exceeds the required criteria and in is compliance with current code.

Conclusion

With their approval of the project, the Planning Commission demonstrated its satisfaction with the revised plans being responsive to their previously identified concerns. The appellant has not provided any information or evidence that would serve to support overturning the Planning Commission decision. The project is consistent with the intent and purposes of applicable General Plan policies, the City's Local Coastal Plan and the standards established in the Zoning Ordinance. As further evidenced by the discussions and conclusions contained in the technical studies provided, the project will not result in a significant effect on the environment. Finally, Planning Commission's Findings in support of the proposed modification and Coastal Development Permit can and should be upheld by Council. For your reference we have attached our letter (Attachment G) to the Planning Commission dated August 20, 2007 to provide an overview of the project. Please refer to page 5, which sets forth the required findings and justifications.

On behalf of the applicant and project team, we thank you for your consideration of this project.

Sincerely,

SUZANNE ELLEDGE

PLANNING & RERMITTING SERVICES

Trish Allen

Associate Planner

Attachments A & B – Bluff top Homes aerial graphic

Attachment C- Beach Vantage from East - Story Pole Photo

Attachment D-Beach Vantage from West - Existing Condition

Attachments E & F – Open Yard, existing and proposed configuration

Attachment G – Project Description Letter

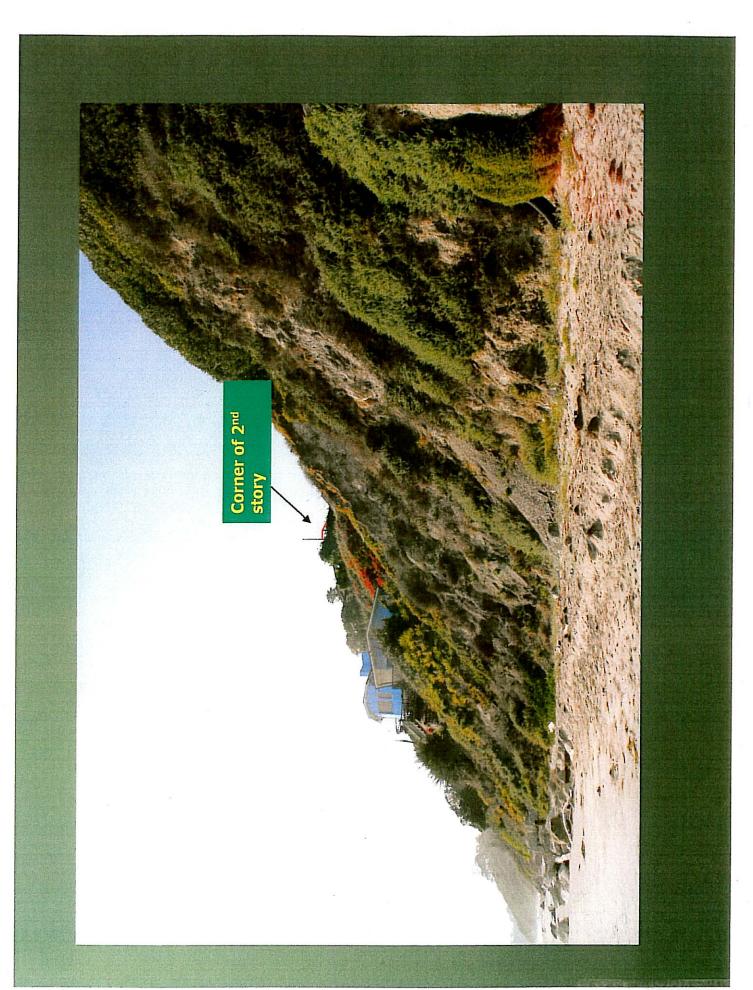
Cc: Joyce and Leon Lunt

10 Bluff top Homes to West larger

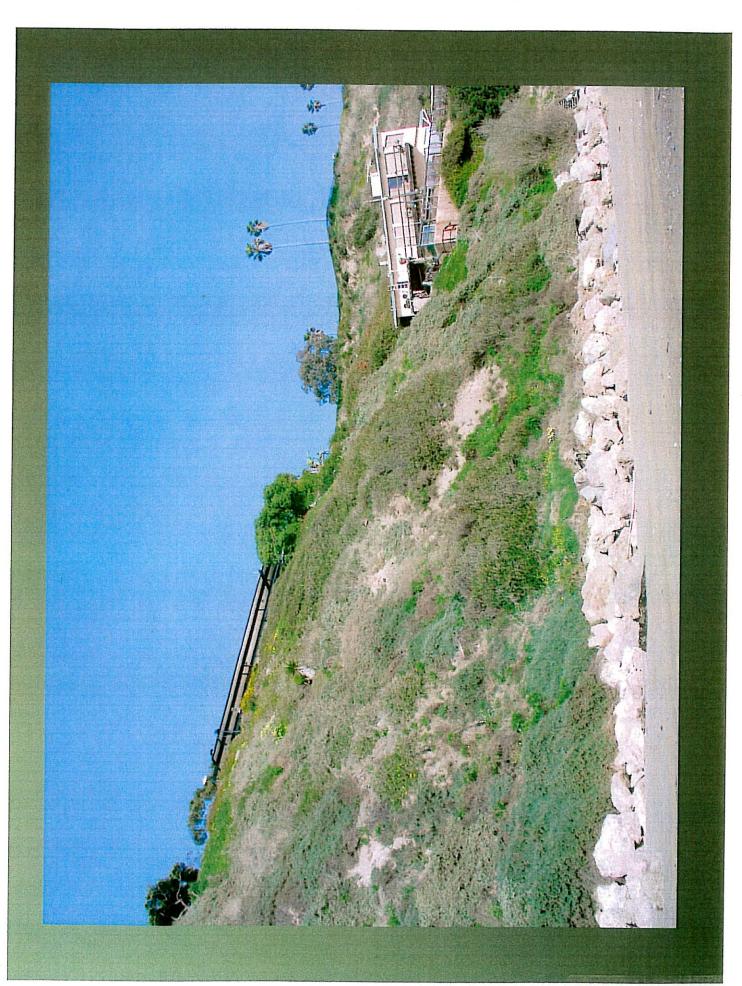
Attachment A

10 Bluff top Homes to East smaller Project Site

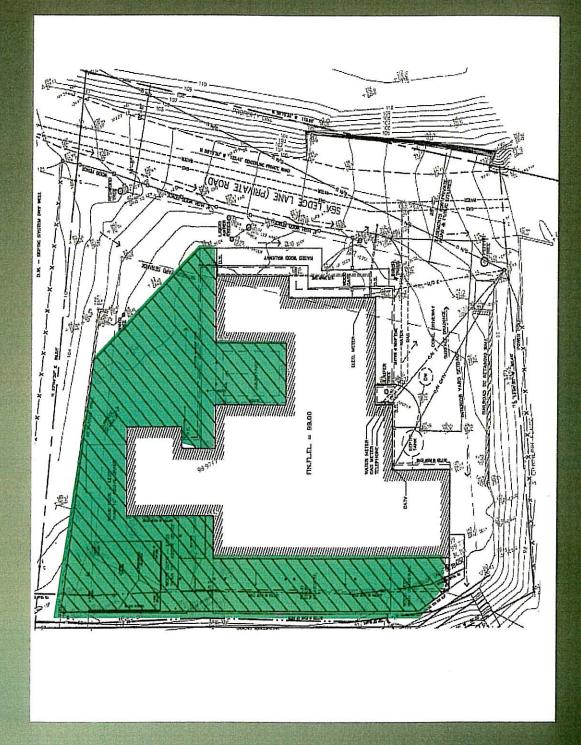
Attachment B



Attachment C



Attachment D



Attachment F

20 August 2007

City of Santa Barbara Planning Commission 630 Garden Street Santa Barbara, CA 93101

RE: Residential Addition at 3427 Sea Ledge Lane, MST2006-00092

Dear Commissioners:

On behalf of the applicant, Joyce and Leon Lunt, we are pleased to provide the following detailed project description for a residential addition, on the subject site located at 3427 Sea Ledge Lane in the City of Santa Barbara.

I. Existing Setting

The project site is currently developed with a single-story 3,414 square foot residence on an ocean front property of 32,189 square feet. From the beach, the property slopes up toward the existing residence that is situated on the flat portion of the parcel. The property is accessed off of Sea Ledge Lane, an unimproved private road consisting of easements off of Cliff Drive.

The project site is located in the Single-Family Residential/Coastal Overlay Zones (A-1/SD-3) within the City of Santa Barbara. The surrounding neighborhood is characterized by modest to substantially sized single-family residences. The site is located in the Campanil neighborhood, as described in the Land Use Element of the General Plan. Over a period of several years, the City has rezoned this neighborhood to achieve lower density; the Campanil neighborhood is shown on the General Plan at a density of one dwelling unit per acre.

The single-family homes along Sea Ledge Lane are physically separated by the existing grade variation. For example, as Sea Ledge Lane drops in elevation from Cliff Drive toward the beach, the residence immediately adjacent on the west side is 7.5 feet higher than the subject site, the residence immediately adjacent on the east side is 10 feet below the project building site, and the residence further to the east is 50 feet lower in elevation.

The site contains the following mature ornamental vegetation proposed to remain and will be protected in place during construction activities: two 12" and one 16" liquid amber trees, one 8" Ginko tree, one 24" pepper tree, and one 18" redwood tree. One 12" juniper and one 8" birch tree are proposed for removal to make way for the addition.

City of Santa Barbara Planning Commission Project Description - 3427 Sea Ledge Lane 20 August 2007 Page 2 of 7

II. Revised Project Description

The project site is currently developed with a single-story 3,414 net square foot residence on the 32,189 square feet lot. The project involves demolition of a portion of the existing residence and the garage (approximately 1,678 net square feet) an addition of 2,091 net square feet on the ground floor, including the new garage, a basement level of 612 net square feet, and a new second floor of approximately 1,016 net square feet. The existing deck would be resurfaced and decreased by approximately 100 square feet. The proposed total size of the residence is 5,455 net square feet (including the basement), resulting in a floor area ratio of 0.15. Per ordinance, the basement floor area does not contribute to the floor area ratio.

Planning Commission Review

On June 7, 2007, the project was presented to the Commission for consideration of two interior yard zoning modifications and a Coastal Development Permit. The Commission could not support the request modifications and stated concerns relative to the proposed size of the residence given the recently updated Neighborhood Preservation Ordinance (NPO). The project was continued to a future date for consideration of a redesign.

The project has been redesigned, eliminating rooms on the ground floor. The total amount of reduction is 1,022 net square feet, resulting in a residence that is in compliance with the maximum FAR *guideline* established by the NPO. As stated in The Updated Single Family Residence Design Guidelines (SFRDG), July 2007, maximum FARs as *requirements* apply to properties with residences taller than one story **on lots smaller than 15,000 square feet** in size in single-family zones. Further, the SFRDG goes on to state that properties that contain more than 15,000 square feet, the FARs are applied as guidelines, rather than requirements.

The SFRDG explains that FARs measure and limit a structure's size based on lot size. FARs do not translate to an accurate measure of volume and are used as general parameters for reasonable lot build out. The SFRDG contain additional methods and tools beyond FAR calculations for the decision makers to determine neighborhood compatibility such as architectural style, entry design, exterior finishes and colors. The examples of good compatibility in the SFRDG show highly visible houses on the same level with each other, tightly juxtaposed. Compatibility and context can be easily illustrated in those examples. The Sea Ledge Lane neighborhood is different in that many of the houses on Sea Ledge Lane are not visible, and the juxtapositions, unlike examples indicated by SFRDG, are obscured by drastically different building pad elevations and heavy vegetation. In conclusion, for this project site evaluation of neighborhood compatibility is a challenge and should not be judged solely by an FAR calculation.

City of Santa Barbara Planning Commission Project Description - 3427 Sea Ledge Lane 20 August 2007 Page 3 of 7

At the reconsideration hearing on June 21, 2007, Commission stated that they are not a design board and that land use and City policy are within their purview. The previous project presentation emphasized the project's architectural merits due to the correlation of neighborhood compatibility and the proposed addition given that neighborhood compatibility is one of the findings for consideration of the Coastal Development Permit.

Architectural Design & Architectural Board of Review

The proposed architectural style is intended to contemporize the existing house. The house was constructed in 1966 and was a post and beam style in the spirit of Richard Neutra and the houses developed by Joseph Eichler in the 1940's and 1950's. The architectural style of the proposed project continues the spirit of the original house by carrying the notion of contemporary modernism into our present time.

The new second story is significantly setback from the ocean side of the property and will be visually unobtrusive from beach level views as demonstrated in the Visual Analysis provided in the previous submittal. The Architectural Board of Review reviewed the project on two occasions (March 13 and April 3, 2006); the Board favored the architectural style, provided positive comments relative to size, bulk, and scale, and were neutral toward the modification requests. However, the modification requests for the residential addition on the south and west sides of the structure have been eliminated.

Given the program reductions made to the project and no changes relative to the architectural style, staff determined that it was unnecessary to return to the design board. Due to recent NPO adoption, the project will be required to return to the Single Family Design Board for preliminary and final design approvals.

Landscape Design

Of the 32,189 square foot site, 24,103 square feet is landscaped (with 18,293 square feet being in native vegetation). The landscaping on the south side of the house has been carefully selected to provide additional screening of the residence as viewed from the beach. The landscaping does not require irrigation, in order to maintain slope stability.

Grading/Drainage

The project preliminary grading quantities necessary to construct the basement, the foundations and retaining walls involve approximately 444 cubic yards of export. Outside the main building footprint, the site work would involve approximately 106 cubic yards of cut.

The existing drainage is directed either to Sea Ledge Lane or to a drain system installed along the face of the bluff. Sea Ledge Lane drains to the east and terminates into a culvert leading to a drain pipe to the beach below. The drainage system along the bluff

City of Santa Barbara Planning Commission Project Description - 3427 Sea Ledge Lane 20 August 2007 Page 4 of 7

collects the roof and sheet flow via drainpipes on the east and west sides of the property and directs it to the beach below. The geologist has evaluated bluff erosion and has concluded that little erosion has occurred since the installation of the revetment, providing evidence that the existing drainage system is effective.

III. Environmental Review

<u>Geologic</u>

An engineering geology report that addresses the location of the 75-year geologic setback and the rate of bluff retreat was submitted with the initial DART application (Anikouchine report dated November 16, 2005). A subsequent report/response letter was prepared to address the accuracy of the geologic setback shown on the plans in addition to overall slope stability (Anikouchine report dated May 6, 2006). The report verifies the accuracy of the geologic setback location on the plans and provides a discussion and verification of the slope stability relative to the proposed addition and drainage system. Please refer to Anikouchine's reports for additional details.

Visual Resources

The project site is located in an area of visual sensitivity. The project team has prepared a visual resources analysis of the previous design (1/26/07) which demonstrates that the visual conditions of the surrounding area would not be negatively impacted as a result of the project. Residences are visible from the beach view looking toward the site; project approval would result in a partial view of the first floor overhangs on the south elevation of the residence. The existing residence and proposed additions are not visible from the Cliff Drive overlook above the project site. The project would not result in a significant visual change to the existing surrounding conditions.

California Environmental Quality Act (CEQA)

The project does not result in a significant effect on the environment and can therefore be determined to be categorically exempt from the requirement for the preparation of environmental documents. The project description includes elements that lead to the conclusion that the project would be exempt per §15301 contained in the CEQA guidelines.

IV. Discretionary Action Requested and Findings

The project requests consideration of the following discretionary applications:

City of Santa Barbara Planning Commission Project Description - 3427 Sea Ledge Lane 20 August 2007 Page 5 of 7

- 1. <u>Modification</u> to allow an "as-built" portion of the existing deck to encroach into the 15' required interior yard setback in the A-1/SD-3 Zone (SBMC §28.15.060).
- Coastal Development Permit to allow the proposed development in the Appealable jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

Modification Findings

In order for the Planning Commission to approve the project with the yard modification request, one of the following findings must be made (per SBMC§28.92.110.A.2), a modification of yard, lot and floor area regulations where the modification is consistent with the purposes and intent of this Title, and is necessary to (i) secure an appropriate improvement on a lot, (ii) prevent unreasonable hardship, (iii) promote uniformity of improvement, or (iv) the modification is necessary to construct a housing development which is affordable to very low-, low-, moderate- or middle-income households.

We believe that the interior yard modification requests are necessary to secure an appropriate improvement on the subject lot. The subject site is constrained on the north side by the private access easement (Sea Ledge Lane) and on the south by the 75-year geologic setback. The intent of a minimum required setback is to provide a buffer between adjacent properties in order to preserve a high quality of living. The yard modification request on the east side of the property involves a portion of the existing deck. When the deck was originally permitted in 1987, the plans showed the deck in compliance with the required setback. However, it is likely that the property boundaries were incorrectly depicted and the deck was inadvertently constructed into the setback. The work was signed off by the building inspector at the time. Rather than remove the existing portion of the deck, we are requesting an "as-built" modification to allow the deck to remain. The addition to the master bedroom encloses a portion of the existing deck, resulting in a less intense use where the property line jogs to the west. We feel that the intent of the setback requirement can still be met by the vertical physical separation between these properties.

In addition to the modification substantiation discussion above, the subject site is non-conforming to the minimum lot area requirements per the A-1 zoning standards. Interior yard setback requirements in the A-1 zone are intended for larger sized lots that inherently facilitate larger setback requirements.

Another element for the Planning Commission to consider is whether the modification request would have a negative impact on the adjacent properties. The affected property owners have written a letter of project support understanding the yard modification requests.

City of Santa Barbara Planning Commission Project Description - 3427 Sea Ledge Lane 20 August 2007 Page 6 of 7

Coastal Development Permit Findings

The project site is located in the Appeal Jurisdiction of the Coastal Zone. The proposed improvements require the Planning Commission to make Coastal Development Permit findings (listed below). We have included the findings in a standard font; the justification for each finding is described below each in italics.

(1) The project is consistent with the policies of the California Coastal Act.

The City's Local Coastal Plan Housing Policy that applies to a project with an existing residential use in a residential neighborhood is Policy 5.3 which states, "New development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or on-street parking resources of existing residential neighborhood shall not be permitted."

The proposed development has been found to be compatible with the surrounding residential neighborhood in terms of scale, size and design by the Architectural Board of Review. The development does not result in a change or intensification of use and therefore would not result in an overburdening of public circulation and/or on-street parking resources. Further, the proposed addition will preserve significant public scenic views. The existing view from the beach toward Sea Ledge Lane is composed of residences; the proposed addition would not result in a change to the view perspective. The existing and the proposed additions would not be visible from the Cliff Drive overlook.

(2) The project is consistent with all applicable policies of the City's Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.

In general, the policies contained in the City's Coastal Plan involve protection of public access to Coastal Resources. The proposed development involves an addition to an existing single family residence and would not affect the public in terms of heach access or views. Therefore, the project is consistent with all applicable policies with the approval of the requested yard modifications.

Project Justification

The interior yard modification request can be supported due to described site constraints and the need to secure an appropriate improvement. The deck encroachment is existing and would not negatively impact the immediate neighbors, who have provided letters of support for the proposed project.

City of Santa Barbara Planning Commission Project Description - 3427 Sea Ledge Lane 20 August 2007 Page 7 of 7

The project can be found to be consistent with the intent and purposes of applicable General Plan policies, the City's Local Coastal Plan and the standards established in the Zoning Ordinance. As evidenced by the discussions and conclusions contained in the technical studies provided, the project will not result in a significant effect on the environment. In addition, the necessary findings can be made to approve the requested modifications and the Coastal Development permit.

On behalf of the applicant project team, we thank you for your consideration of this project.

Sincerely,

SUZANNE ELLEDGE

PLANNING & PERMITTING SERVICES

Trish Allen, AICP Associate Planner